IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.882 OF 2007
IN
APPEAL FROM ORDER NO.266 OF 2007

Laxmikant Vasudev Kapkar ...Applicant

vs.

Municipal Corporation of
Greater Mumbai ...Respondent

Mr.Dinesh C. Shah for the Applicant

CORAM: A.S.OKA,J.
DATE : AUGUST 27, 2007.

P.C.:

1. Heard Advocate for the applicant. None appears for the Respondent. By this application a prayer is made for extension of time to apply for regularization of the suit structure. It is stated that the applicant applied to the State Government for regularization of the suit structure which was forwarded by the State Government to the Commissioner of the Respondent-Corporation. It is pointed out that by communication dated 14th June 2007, the Applicant was informed that he should apply to the Executive Engineer (Building Proposal, Western Suburbs) for regularization.

2. Time granted by order dated 10th April 2007 was of six weeks. Considering the averments made in the Application, time to apply for regularization is extended by a period of two weeks from today. If application for regularization is

made within stipulated period, the same shall be disposed of within a period of eight weeks from the date of receipt of the application. If application for regularization is made within stipulated period, both the parties will maintain status quo as of today in respect of the suit structure for a period of 12 weeks from today.

3. If application for regularization is not made within two weeks from today, it will be open for the Respondent-Corporation to demolish the suit structure.

4. A copy of application dated 25th April 2007 submitted by the applicant to the State Government records that this court has directed that the suit structure should be regularised. The said statement is obviously incorrect and it is clarified that there is no such direction issued. The application for regularization will be decided in accordance with law.

5. Civil Application is disposed of in above terms. No order as to costs.

6. Parties to act upon an authenticated copy of this order.

JUDGE